

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Edgar & Edna Avant
DOCKET NO.: 04-24824.001-C-1
PARCEL NO.: 32-08-405-039-0000

The parties of record before the Property Tax Appeal Board are Edgar and Edna Avant, the appellants; and the Cook County Board of Review.

The subject property is improved with a one-story, commercial building containing 3,126 square feet of building area. The building is approximately 26 years old and is located on a 42,725 square foot site.

The appellants contend both overvaluation and unequal treatment in the assessment process as the bases of the appeal. In support of their argument the appellants submitted descriptions and assessment information on three comparables. The comparables had improvement assessments ranging from \$.20 to \$11.90 per square foot of building area. The appellants also indicated they purchased the subject property in February 2001 for a price of \$160,000. They also submitted a copy of a Rider to Real Estate Sales Contract indicating the subject's land, parking lot and building sold for a total price of \$230,000. Paragraph 4 of the Rider to Real Estate Sales Contract indicated it replaced the sales contract between the parties dated January 5, 2005. The appellants submitted a copy of the decision issued by the board of review establishing a total assessment of \$92,210. The appellants indicated the subject had an improvement assessment of \$61,363 or \$19.62 per square foot of building area. The subject's assessment reflects a market value of approximately \$242,658 using the using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 5A property of 38%. Based on this

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	30,847
IMPR.:	\$	43,253
TOTAL:	\$	74,100

Subject only to the State multiplier as applicable.

evidence the appellants requested the subject's assessment be reduced.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

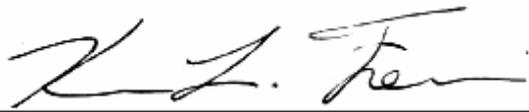
The appellants contend both overvaluation and assessment inequity as the bases of the appeal. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). Furthermore, taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessments by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the evidence submitted by the appellants, the Board finds a reduction is warranted.

The appellants in this appeal submitted assessment information on three assessment comparables to demonstrate the subject was inequitably assessed. These comparables had improvement assessments that ranged from \$.20 to \$11.90 per square foot. The subject has an improvement assessment of \$19.62 per square foot, which is above the range established by the comparables. Additionally, the appellants provided evidence disclosing they purchased the subject property in February 2001 for a price of \$160,000. Furthermore, the appellants provided documentation disclosing they sold the property in January 2005 for a price of \$230,000. The Board finds the subject's assessment reflects a market value greater than the either of the sales prices presented by the appellants. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. Based on this record the Property Tax Appeal Board finds a reduction in the subject's assessment is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: April 25, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.